



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2004 - 33

LOUISIANA REHABILITATION COUNCIL

WHEREAS, the State Rehabilitation Advisory Council was originally established by executive order to provide Louisiana's citizens with disabilities assistance in their pursuit of meaningful careers and gainful employment through specific programs;

WHEREAS, the Rehabilitation Act of 1973, 29 U.S.C.A. §701, *et seq.*, as amended by the Workforce Investment Act (Public Law 105-220), and the Rehabilitation Act Amendments of 1998 and subsequent 1999 amendments to 29 U.S.C.A. §725, provide the state of Louisiana with financial assistance to promote effective programs of vocational rehabilitation services for individuals with disabilities; and

WHEREAS, it is in the best interest of the citizens of the state of Louisiana to continue providing its citizens with disabilities vocational rehabilitation services and/or programs by the continuation of a rehabilitation council;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: The Louisiana Rehabilitation Council (hereafter "Council") is established within the executive department, Department of Social Services;

SECTION 2: The duties of the Council shall include, but are not limited to, the following:

- A. Reviewing, analyzing, and advising the Department of Social Services, Office of Louisiana Rehabilitation Services (hereafter "Louisiana Rehabilitation Services"), regarding the performance of its responsibilities, particularly the responsibilities relating to:
 - 1. Eligibility (including order of selection);
 - 2. The extent, scope, and effectiveness of services provided; and
 - 3. Functions performed by state agencies that affect or potentially affect the ability of individuals with disabilities in achieving employment under 29 U.S.C.A. §720 *et seq.*;
- B. In partnership with Louisiana Rehabilitation Services:
 - 1. Developing, agreeing to, and reviewing the state goals and priorities for rehabilitation services in accordance with 29 U.S.C.A. §721(a)(15)(E); and
 - 2. Evaluating the effectiveness of the vocational rehabilitation program and submitting progress reports to the commissioner of the Rehabilitation Service Administration, Department of Education, Washington, D.C.;
- C. Advising Louisiana Rehabilitation Services regarding activities authorized to be carried out under the Rehabilitation Act, and assisting in the preparation of and amendments to the state plan, together with the necessary applications,

reports, needs assessments, and evaluations as required by 29 U.S.C.A. §720 *et seq.*;

- D. To the extent feasible, conducting a review and analysis of the effectiveness of, and consumer satisfaction with:
 - 1. The functions performed by Louisiana Rehabilitation Services;
 - 2. The vocational rehabilitation services provided by Louisiana Rehabilitation Services and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under 29 U.S.C.A. §701 *et seq.*; and
 - 3. The employment outcomes achieved by eligible individuals receiving services under 29 U.S.C.A. §725, including the availability of health and other employment benefits in connection with such employment outcomes;
- E. Preparing and submitting an annual report to the governor and the commissioner of the Rehabilitation Service Administration, Washington, D.C., on the status of vocational rehabilitation programs operating within the state, and making the report available to the public;
- F. To avoid duplication of efforts and enhance the number of individuals served, coordinating activities with the activities of other councils within the state, including the Statewide Independent Living Council, established under 29 U.S.C.A §796d; the advisory panel established under Section 612(a)(21) of the Individuals with Disabilities Education Act (as amended by section 101 of the Individuals with Disabilities Education Act Amendments of 1997; Public Law 105-17), [20 U.S.C.A. §1412 (a)(21)]; the State Developmental Disabilities Council described in section 124 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C.A. §6024); the State Mental Health Planning Council established under Section 1914(a) of the Public Health Service Act (42 U.S.C.A. §300x-4(a)); and the State Workforce Investment Board;
- G. Providing for coordination and the establishment of working relationships between Louisiana Rehabilitation Services and the Statewide Independent Living Council and the Centers for Independent Living within the state;
- H. Preparing, in conjunction with Louisiana Rehabilitation Services, a plan for the provision of such resources, including such staff and other personnel, as may be necessary and sufficient to carry out the functions of the Council under this section. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan;
- I. Supervising and evaluating such staff and other personnel as may be necessary to carry out its functions; and
- J. Performing such other functions as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the Council.

SECTION 3: Members of the Council shall be selected from all areas of the state and shall be knowledgeable of the vocational rehabilitation services offered to individuals with disabilities. The majority of the membership of the Council shall be composed of Louisiana citizens with disabilities, representing a broad range of disabilities, and who are not employed by Louisiana Rehabilitation Services or any state agency.

SECTION 4: The Council shall consist of twenty-five (25) members who shall be appointed by, and serve at the pleasure of the governor for a term of up to three (3) years, including:

- A. Twenty-three (23) voting members selected as follows:

1. One (1) representative from a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act (as added by section 101 of the Individuals with Disabilities Education Act Amendments of 1997; Public Law 105-17) [20 U.S.C.A. §1482(a)];
 2. One (1) representative from the voting membership of the Statewide Independent Living Council established under 29 U.S.C.A. §796d;
 3. One (1) representative of the Client Assistance Program established under 29 U.S.C.A. §732;
 4. One (1) representative from the service providers for the community rehabilitation program;
 5. Four (4) representatives of business, industry, and labor;
 6. Twelve (12) members representing a cross section of the following categories:
 - a. Individuals with physical, cognitive, sensory, and mental disabilities;
 - b. Representatives of individuals with disabilities who have difficulty representing themselves; and
 - c. Current or former applicants for, or recipients of, vocational rehabilitation services.
 7. One (1) representative of the State Workforce Investment Board;
 8. One (1) representative of the state educational agency responsible for the public education of students with disabilities who are eligible to receive services under 29 U.S.C.A. §720 and part B of the Individuals with Disabilities Education Act; and
 9. One (1) director of a project carried out under Section 121 of the Federal Rehabilitation Act Amendments of 1998.
- B. Two (2) non-voting members, selected as follows:
1. One (1) vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs shall serve as an ex officio, nonvoting member of the Council; and
 2. The director of the Louisiana Rehabilitation Services shall serve as an ex officio, nonvoting member of the Council.

SECTION 5: The voting members of the Council shall select a chair from among its voting membership.

SECTION 6: No member of the Council, other than the representative of the Client Assistance Program, may serve more than two consecutive full terms.

SECTION 7: The majority of the voting membership of the Council shall not be composed of individuals who receive compensation, either directly or indirectly, for work they perform on behalf of any vocational rehabilitation service provider.

SECTION 8: The Council shall coordinate its activities with the Office of Disability Affairs, Office of the Governor. The Council shall follow all rules and regulations of the state of Louisiana, including those concerning purchasing, procurement, hiring, and ethics.

- SECTION 9:**
- A. Council members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Council;
 - B. Council members who are not employees of the state of Louisiana or any of its political subdivisions thereof, contingent upon availability of funds, may seek reimbursement for travel expenses, in accordance with PPM 49, and with advance written approval of the commissioner of administration;
 - C. Council members who are employees or elected public officials of the state of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency and/or office; and
 - D. Council members who are also members of the Louisiana Legislature may seek a per diem from the Louisiana State Senate or House of Representatives, as appropriate, for their attendance.

SECTION 10: The Council shall convene, a minimum of four (4) meetings a year, in such places as it determines to be necessary to conduct Council business and conduct such forums or hearings as the Council considers appropriate.

SECTION 11: Support staff, facilities, and resources for the Council shall be provided by the Louisiana Rehabilitation Services.

SECTION 12: All departments, commissions, boards, offices, entities, agencies, and officers of the state of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Council in implementing the provisions of this Order.

SECTION 13: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 20th day of August 2004.

Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA

**ATTEST BY
THE GOVERNOR**

SECRETARY OF STATE